

REMARKS

Claims 1-12, 14-36 and 38-45 are pending in the instant application. Claims 1-12, 14-36 and 38-45 have been rejected by the Examiner. Claims 1, 21, 27, and 45 have been amended. The Applicant submits that claims 1-12, 14-36, and 38-45 are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Claim Objections

Claim 27 has been objected to due to informalities. In particular, the Examiner has objected to claim 27 as improperly depending from claim 1. The Applicants appreciate the Examiner's notification of this error and have amended claim 27 to properly depend from what 21.

Claim Rejections Under 35 USC §101

Claims 1-12, 14-36 and 38-45 stand rejected under 35 U.S.C. §101 as the claimed invention is allegedly directed to non-statutory subject matter. In particular, the Examiner states that independent claims 1, 21, and 45 do not produce a tangible or concrete result because the claims do not provide for what happens if a modeling feature is not dependent upon existing datum placement. The Applicants have amended claims 1, 21, and 45 to recite, "for modeling features determined to be dependent on an existing datum for placement, performing...". The Applicants have removed the conditional language and submit that claims 1, 21, and 45 provide a useful, tangible and concrete result. Claims 1, 21, and 45 recite proper statutory subject matter pursuant to 35 U.S.C. 101. Claims 2-12 and 14-20 depend from claim 1 and claims 22-36 and 38-44 depend from claim 21. For at least this reason, claims 2-12, 14-20, 22-36, and 38-44 are directed to statutory subject matter. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 1-12, 14-36 and 38-45 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,
DIANE M. LANDERS ET AL.

CANTOR COLBURN LLP
Applicants' Attorneys

By: /Marisa J. Dubuc/
Marisa J. Dubuc
Registration No. 46,673

Date: November 30, 2007
Address: 55 Griffin Road South
Bloomfield, CT 06002
Telephone: 860-286-2929
Fax: 860-286-0115